IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re P	atent Application of:	·)	Group Art Unit: 1631	. *
HOGA	AN et al.)	Examiner: Marschel, A.	
Serial	No. 08/454,529)	Atty. Docket No. GP004-16.DV4	#38 Dluck t
Filed:	May 30, 1995)		78/02
For:	METHODS FOR DETERMINING THE PRESENCE OF NON-VIRAL ORGANISMS IN A SAMPLE		VIA FEDERAL EXPRESS	1101

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)

Examiner Ardin H. Marschel Art Unit 1631 United States Patent and Trademark Office 7th Floor Receptionist 1911 South Clark Place Crystal Mall One Arlington, Virginia 22202

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Dear Examiner Marschel:

Applicants bring to your attention the reference listed on the attached form PTO/SB/08 (two copies) for consideration in connection with the examination of the above-identified application. A copy of the cited reference is attached hereto.

This Information Disclosure Statement is being submitted in accordance with the provisions set forth in 37 C.F.R. § 1.97(c) more than three months from the filing date of the subject application and after the mailing date of a first Office action on the merits but before the mailing date of a final action, notice of allowance or action that otherwise closes prosecution in the application.

Although ex parte prosecution in the instant application has been suspended, due to a potential interference, Applicants submit that a suspended prosecution does not "close" prosecution in 69454529 application.

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Serial No. 08/454,529 Atty. Docket No. GP004-16.DV4

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Applicants respectfully request an indication that the cited reference was considered by returning a copy of the attached form PTO/SB/08 with your initials or other appropriate marks.

Please charge the fee set forth in 37 C.F.R. § 1.17(p), and any other fee which may be due, to Deposit Account No. 07-0835 in the name of Gen-Probe Incorporated.

At your direction, this correspondence, and any referred to as attached, is being sent by Federal Express on the date indicated below to Examiner Ardin H. Marschel, Art Unit 1631, United States Patent and Trademark Office, 7th Floor Receptionist, 1911 South Clark Place, Crystal Mall One, Arlington, Virginia 22202.

By:

Respectfully submitted,

Dated: June 28, 2002

Charles B. Cappellari

Registration No. 40,937 Attorney for Applicants

GEN-PROBE INCORPORATED

Patent Department 10210 Genetic Center Drive San Diego, California 92121

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	te for form 1449B/			Application Number 08/454,529		
INFO	ORMATIC	ON E	ISCLOSURE	Filing Date	May 30, 1995	
ST A	TEMENT	r RV	APPLICANT	First Named Inventor	HOGAN et al.	
SIA	VI EIAIEIA I	91	AFFLIOAN	Group Art Unit	1631	
(use as many sheets as necessary)				Examiner Name	Marschel, A.	
Sheet	1	of		Attorney Docket Number	GP004-16.DV4	

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²		
		PALMER et al., "16S Ribosomal RNA Genes of Chlamydia Trachomatis", Chlamydial Infections - Proceedings of the Sixth International Symposium on Human Chlamydial Infections, 1986, Pg. 89-92, Cambridge University Press			
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Evamina	or	Date			

Examiner	Date	
Signature	Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.